



## Judicial Council of California · Administrative Office of the Courts

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on August 23, 2013

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Title

Criminal Justice Realignment: *Court Realignment Data—Quarter 1, 2013* Report

Agenda Item Type

Information Only

Date of Report

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Submitted by

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### Executive Summary

Under Penal Code section 13155, effective January 1, 2013, the Administrative Office of the Courts must collect information from trial courts regarding the implementation of the 2011 Criminal Justice Realignment Act and submit the data to the California Department of Finance (DOF), the Board of State and Community Corrections (BSCC), and the Joint Legislative Budget Committee on September 1, 2013, and annually thereafter. This informational report includes the first data report to the DOF, BSCC, and Joint Legislative Budget Committee and describes the process for collecting such data.

### Previous Council Action

No previous action has been taken by the Judicial Council on this issue. Under Penal Code section 13155, the Administrative Office of the Courts (AOC) must submit data collected from the trial courts on the implementation of the 2011 Criminal Justice Realignment Act to the California Department of Finance, the Board of State and Community Corrections, and the Joint Legislative Budget Committee by September 1, 2013, and annually thereafter. The *Court Realignment Data—Quarter 1, 2013* is included as Attachment A to this report.

## **Methodology and Process**

Penal Code section 13155 (added by Stats. 2012, ch. 41, § 83) states that trial courts shall provide data to the AOC not less frequently than twice a year and that the information shall include statistics for each county regarding the dispositions of felonies at sentencing and petitions to revoke probation, postrelease community supervision, mandatory supervision, and—commencing July 1, 2013—parole.

### **Creation of Criminal Justice Realignment Data Working Group**

In September of last year, the 2012 chair and vice-chair of the Court Executives Advisory Committee (CEAC) solicited interest from all court executive officers to participate in the Criminal Justice Realignment Data Working Group to create realignment data points and data definitions. The working group is made up of representatives from the superior courts of Alameda, Fresno, Mendocino, Napa, Orange, and Ventura Counties and is chaired by Court Executive Officer Melissa Fowler-Bradley, Superior Court of Shasta County. The working group created a list of 29 data points that track sentencing and disposition information and measure court workload (see Attachment B).

### **Outreach before data collection**

- The draft list of data points was reviewed at the CEAC business meeting on November 8, 2012.
- The draft list of data points and definitions was sent to all presiding judges and court executive officers on November 15, 2012, for feedback on data definitions and data collection feasibility.
- Three courts in the working group pilot-tested the data points to provide feedback to the working group on the workload associated with collecting the proposed data points.
- The AOC's Criminal Justice Court Services Office held two webinars for court staff in January 2013 and two in April to review data definitions and data submission guidelines and receive feedback. Forty-three courts attended one or more webinars.

The working group considered feedback collected from all outreach efforts and revised the data elements as appropriate. AOC staff created a web page that contains the finalized list of data points, a list of frequently asked questions to answer many of the questions that arose during this outreach period, and other information regarding the data collection effort.

### **Data collection and quality assurance**

On December 4, 2012, a finalized list of realignment data points was sent to presiding judges and court executives. On April 30, 2013, trial courts submitted the first quarter of court realignment data. The data were submitted to the AOC's Criminal Justice Court Services Office using an online survey and will continue to be submitted on a quarterly basis, as determined by the working group, as follows:

- Quarter 1, 2013 (January–March), data were due April 30, 2013.

- Quarter 2, 2013 (April–June), data were due July 31, 2013.
- Quarter 3, 2013 (July–September), data are due October 31, 2013.
- Quarter 4, 2013 (October–December), data are due January 31, 2014.

AOC staff conducts quality assurance to examine the accuracy and reliability of the data collected. After receiving data for the first quarter, AOC staff followed up individually with 27 courts to discuss issues that arose from quality assurance checks.<sup>1</sup> Data were revised in many cases as a result of these checks.

This is the first time courts have submitted realignment data under Penal Code section 13155. To meet this data reporting requirement, many courts made changes to their case management systems and trained staff on changes in data entry and reporting. The data presented in the attached report may be amended in subsequent reports as data definitions are further refined based on discussions with court staff. Courts may amend previously reported data in the event of initial data reporting errors. Data quality will improve as data reporting systems are further established.

### **Policy and Cost Implications**

In addition to fulfilling a legislative mandate, data collected under Penal Code section 13155 will assist the Trial Court Budget Advisory Committee in developing an allocation methodology for court realignment funding.<sup>2</sup> On April 30, 2012, the Criminal Justice Realignment Subcommittee (formally, the Realignment Subcommittee) was established by the Trial Court Budget Working Group to address, among other things, the methodology to be used in allocating realignment funding to the courts. For the first two years of realignment, allocations were based on data provided by the California Department of Corrections and Rehabilitation. On July 9, 2013, the Trial Court Budget Advisory Committee approved a recommendation by the Criminal Justice Realignment Subcommittee to develop a new methodology and proposed allocation using data collected under Penal Code section 13155. This new methodology will be used to determine the allocations for the second half of fiscal year 2013–2014.

Courts expressed concern related to the workload impact of data collection and indicated that some of the data points would require additional programming of court case management systems and that court staff would need training on new program codes. Under Penal Code section 13155, funds provided to the trial courts for the implementation of criminal justice realignment may be used to collect data and provide it to the AOC.

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<sup>1</sup> This first data submission revealed data quality issues with certain data elements, particularly data related to warrants and evidentiary hearings. These issues will be discussed by the Criminal Justice Realignment Data Working Group, and data elements and/or definitions may need amending.

<sup>2</sup> On April 25, 2013, the Judicial Council created the Trial Court Budget Advisory Committee to, among other responsibilities, make recommendations on the allocation of trial court funding. This standing committee will subsume the work of the Trial Court Budget Working Group.

## **Summary of Findings**

Attachment A, *Court Realignment Data—Quarter 1, 2013*, summarizes court data collected under Penal Code section 13155 for the first quarter of 2013. If a court needs to resubmit data before the date the report is submitted to the DOF, BSCC, and Joint Legislative Budget Committee, the *Court Realignment Data—Quarter 1, 2013* may be updated, but the format will remain the same.

All 58 courts submitted data, and 49 courts were able to report at least 71 percent of data points. The response rates for each data point were reasonably high, ranging from 81 percent (47 counties able to report on this data point) to 100 percent. Many of the courts that were unable to report on a number of data points have confirmed that they will be able to report these data by quarter three of 2013. Because some courts were unable to provide all data points and data will likely be amended, the AOC cautions against drawing statewide conclusions based on this report.

## **Next Steps**

The AOC's Criminal Justice Court Services Office will submit the *Court Realignment Data—Quarter 1, 2013* to the DOF, BSCC, and Joint Legislative Budget Committee on September 1, 2013, and will continue to collect criminal justice realignment data quarterly from trial courts. The Criminal Justice Court Services Office will collect data on parole revocation hearings beginning in the third quarter of 2013 and, in December 2013, will share all data collected to date with the Criminal Justice Realignment Subcommittee of the Trial Court Budget Advisory Committee.

## **Attachments**

1. Attachment A: *Court Realignment Data—Quarter 1, 2013*
2. Attachment B: Final (4/19/13) Realignment Data Points—Felonies Only

## **Administrative Office of the Courts, Criminal Justice Court Services Office Court Realignment Data—Quarter 1, 2013**

This report fulfills the requirement under Penal Code section 13155 that the Administrative Office of the Courts (AOC) submit data regarding the implementation of the 2011 Criminal Justice Realignment Act to the California Department of Finance (DOF), the Board of State and Community Corrections (BSCC), and the Joint Legislative Budget Committee.

The report includes data for quarter 1 of 2013.<sup>1</sup> All 58 courts submitted data, and 49 courts were able to report at least 71 percent of data points. The response rates for each data point were reasonably high, ranging from 81 percent (47 counties able to report on this data point) to 100 percent. Many of the courts that were unable to report on a number of data points have confirmed that they will be able report these data by quarter three of 2013.<sup>2</sup>

This is the first time courts have submitted realignment data under Penal Code section 13155. To meet this data reporting requirement, many courts made changes to their case management systems and trained staff on changes in data entry and reporting. AOC staff conduct quality assurance checks to examine the accuracy and reliability of the data collected. Data were revised in many cases as a result of these checks.

All data points refer to felony filings or cases. The unit of count in the data points below is a filing, a warrant, or a case (not an individual). The data presented in the tables below may be amended in subsequent reports as data definitions are further refined. Furthermore, courts may amend previously reported data in the event of initial data reporting errors. Because some courts were unable to provide all data points and data will likely be amended, the AOC cautions against drawing statewide conclusions based on this report.

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<sup>1</sup> Quarters two through four of 2013 and quarter 1 of 2014 will be included in the next report due September 1, 2014. To provide adequate time to complete data quality assurances, each report will contain data collected at least four months before the report due date.

<sup>2</sup> “NR” (not reported) was used in the data tables to indicate when data were unavailable.

**Table 1 displays:**

- The number of new felony filings. A felony filing is the beginning of a case by the court's acceptance of the formal submission of a complaint or other document charging a defendant with a felony offense, or a transfer in from another jurisdiction.
- The number of presentence warrants issued for failures to appear (FTA).

<b>Table 1: Presentencing</b>		
Court	Felony filings (n=58)	Warrants issued for FTA (n=50)
Alameda	1,915	340
Alpine	0	0
Amador	99	NR
Butte	568	274
Calaveras	89	9
Colusa	89	11
Contra Costa	904	143
Del Norte	119	56
El Dorado	253	56
Fresno	2,650	2,453
Glenn	45	27
Humboldt	519	150
Imperial	523	77
Inyo	45	13
Kern	2,691	329
Kings	400	NR
Lake	210	42
Lassen	90	13
Los Angeles	13,739	NR
Madera	471	244
Marin	218	12
Mariposa	64	0
Mendocino	239	35
Merced	668	84
Modoc	24	7
Mono	47	2
Monterey	792	170
Napa	286	59
Nevada	172	NR
Orange	4,438	274
Placer	696	1,347
Plumas	45	10
Riverside	5,449	677
Sacramento	2,209	NR
San Benito	74	37
San Bernardino	4,734	228
San Diego	4,370	563
San Francisco	1,129	NR

San Joaquin	1,096	NR
San Luis Obispo	593	84
San Mateo	842	28
Santa Barbara	785	163
Santa Clara	2,082	3,341
Santa Cruz	470	8
Shasta	966	863
Sierra	3	4
Siskiyou	140	NR
Solano	840	227
Sonoma	649	111
Stanislaus	1,616	735
Sutter	354	84
Tehama	186	29
Trinity	64	22
Tulare	1,139	200
Tuolumne	188	49
Ventura	1,023	263
Yolo	292	29
Yuba	196	39

**Table 2 displays:**

The number of cases in which, at initial sentencing, a defendant is sentenced to prison, felony probation, jail (straight sentence) under Penal Code section 1170(h)(5)(A), or jail (split sentence) under Penal Code section 1170(h)(5)(B).

<b>Table 2: Initial Sentencing</b>				
Court	Prison (n=52)	Probation (n=50)	Jail—straight sentence (n=55)	Jail—split sentence (n=54)
Alameda	162	628	32	5
Alpine	0	3	0	0
Amador	16	36	8	NR
Butte	88	172	49	6
Calaveras	4	11	1	1
Colusa	4	10	3	0
Contra Costa	85	286	5	51
Del Norte	5	12	16	22
El Dorado	27	83	4	9
Fresno	439	872	158	168
Glenn	18	17	9	0
Humboldt	21	125	6	23
Imperial	67	146	27	101
Inyo	5	8	3	2
Kern	369	180	403	225
Kings	NR	NR	NR	NR
Lake	21	47	15	1
Lassen	23	15	5	0
Los Angeles	NR	NR	1,861	60
Madera	66	119	24	18
Marin	10	60	3	1
Mariposa	5	41	0	5
Mendocino	41	73	18	2
Merced	125	291	13	23
Modoc	4	7	0	0
Mono	1	NR	9	3
Monterey	118	372	53	4
Napa	28	88	2	17
Nevada	NR	NR	NR	NR
Orange	624	2,021	144	230
Placer	52	178	43	1
Plumas	3	24	3	35
Riverside	928	1,661	155	484
Sacramento	NR	NR	82	34
San Benito	8	32	0	12
San Bernardino	945	1,564	1,178	237
San Diego	634	2,399	213	127
San Francisco	NR	NR	NR	NR
San Joaquin	263	NR	20	69

**Attachment A**

San Luis Obispo	83	237	34	12
San Mateo	99	440	62	54
Santa Barbara	100	427	12	30
Santa Clara	241	941	128	68
Santa Cruz	21	325	11	7
Shasta	118	143	18	59
Sierra	0	0	0	0
Siskiyou	7	33	2	4
Solano	112	237	68	26
Sonoma	78	215	3	40
Stanislaus	219	915	38	147
Sutter	40	93	13	8
Tehama	NR	NR	16	0
Trinity	4	35	1	0
Tulare	127	404	34	31
Tuolumne	20	98	0	9
Ventura	196	468	69	42
Yolo	62	163	54	30
Yuba	62	48	8	8

**Table 3 displays:**

- The number of petitions filed or court motions made to revoke or modify felony probation.
- The number of cases in which, as a result of a violation, a felony probationer is sentenced to prison, jail (straight sentence) under Penal Code section 1170(h)(5)(A), or jail (split sentence) under Penal Code section 1170(h)(5)(B).

Court	Petitions to revoke or modify probation (n=48)	Probation cases sentenced to prison (n=52)	Probation cases sentenced to jail—straight sentence (n=52)	Probation cases sentenced to jail—split sentence (n=49)
Alameda	1,672	42	66	2
Alpine	NR	0	0	0
Amador	NR	6	1	NR
Butte	14	28	64	3
Calaveras	29	0	0	0
Colusa	16	1	0	0
Contra Costa	446	7	0	9
Del Norte	23	21	3	14
El Dorado	119	10	7	0
Fresno	706	115	81	35
Glenn	27	6	5	5
Humboldt	180	11	5	12
Imperial	0	22	15	0
Inyo	3	0	0	0
Kern	54	82	132	58
Kings	NR	NR	NR	NR
Lake	0	2	11	0
Lassen	18	1	4	0
Los Angeles	NR	NR	995	80
Madera	206	7	13	5
Marin	166	0	2	1
Mariposa	30	0	0	0
Mendocino	127	14	7	0
Merced	497	40	24	4
Modoc	12	0	1	0
Mono	NR	0	5	2
Monterey	551	40	42	5
Napa	183	6	3	2
Nevada	NR	NR	NR	NR
Orange	1,747	101	310	17
Placer	575	7	NR	NR
Plumas	29	2	2	NR
Riverside	2,115	59	79	190
Sacramento	NR	NR	6	2
San Benito	3	2	2	3
San Bernardino	202	1	260	62
San Diego	NR	170	240	30

**Attachment A**

San Francisco	516	NR	NR	NR
San Joaquin	268	NR	NR	NR
San Luis Obispo	582	35	57	2
San Mateo	205	30	39	10
Santa Barbara	751	27	13	17
Santa Clara	NR	72	121	7
Santa Cruz	0	8	0	0
Shasta	366	15	8	30
Sierra	4	0	0	0
Siskiyou	NR	2	NR	NR
Solano	89	31	68	26
Sonoma	466	0	10	19
Stanislaus	394	3	0	0
Sutter	25	13	17	0
Tehama	97	0	2	0
Trinity	16	0	1	0
Tulare	538	34	27	NR
Tuolumne	103	0	0	0
Ventura	3,559	53	55	18
Yolo	194	9	36	14
Yuba	58	21	4	1

**Table 4 displays:**

- The number of petitions filed or court motions made to revoke or modify mandatory supervision.
- The number of calendar events set on petitions or court motions to revoke or modify mandatory supervision. A *calendar event* is defined as a court proceeding set in the course of a criminal matter.
- The number of evidentiary hearings held on petitions to revoke or modify mandatory supervision. An *evidentiary hearing* is defined as a hearing where one or more parties or counsel appear and oral arguments, presentations relevant to proceedings, witness testimony, and/or documents or tangible documents are submitted to the court. Evidentiary hearings are included in the total number of calendar events.
- The number of cases in which, as a result of a violation, a person on mandatory supervision has the supervision term revoked and terminated.

Court	Petitions to revoke or modify mandatory supervision (n=51)	Calendar events set on petitions to revoke or modify mandatory supervision (n=48)	Evidentiary hearings held on petitions to revoke or modify mandatory supervision (n=47)	Mandatory supervision cases revoked and terminated (n=48)
Alameda	1	12	NR	2
Alpine	0	0	0	0
Amador	1	NR	NR	NR
Butte	4	5	0	0
Calaveras	2	0	0	0
Colusa	0	0	0	0
Contra Costa	23	NR	NR	0
Del Norte	2	5	1	0
El Dorado	6	34	0	1
Fresno	253	151	4	17
Glenn	2	2	2	0
Humboldt	56	216	143	9
Imperial	0	0	0	0
Inyo	1	4	0	0
Kern	15	213	0	12
Kings	NR	NR	NR	NR
Lake	0	0	0	0
Lassen	0	0	0	0
Los Angeles	NR	NR	NR	NR
Madera	16	95	88	16
Marin	1	4	0	0
Mariposa	3	1	0	3
Mendocino	1	3	0	0
Merced	38	91	23	27
Modoc	0	NR	0	0
Mono	1	4	1	1
Monterey	3	4	3	0
Napa	6	3	2	2
Nevada	NR	NR	NR	NR
Orange	131	691	NR	43

**Attachment A**

Placer	0	0	0	0
Plumas	NR	NR	NR	NR
Riverside	236	299	0	395
Sacramento	NR	NR	0	NR
San Benito	3	14	14	4
San Bernardino	48	23	1	55
San Diego	48	267	28	26
San Francisco	NR	NR	NR	NR
San Joaquin	34	35	1	NR
San Luis Obispo	1	1	0	2
San Mateo	8	14	1	10
Santa Barbara	50	102	80	1
Santa Clara	37	135	58	8
Santa Cruz	8	13	6	0
Shasta	28	250	0	1
Sierra	0	0	0	0
Siskiyou	1	4	4	NR
Solano	0	8	7	0
Sonoma	11	105	2	5
Stanislaus	67	69	NR	0
Sutter	0	1	0	1
Tehama	NR	NR	NR	NR
Trinity	0	0	0	0
Tulare	16	122	94	19
Tuolumne	6	24	24	0
Ventura	62	146	0	1
Yolo	15	30	3	3
Yuba	6	6	0	2

**Table 5 displays:**

- The number of petitions filed or court motions made to revoke or modify postrelease community supervision (PRCS).
- The number of ex parte warrants issued for persons on PRCS.
- The number of calendar events set on petitions or court motions to revoke or modify PRCS. A *calendar event* is defined as a court proceeding set in the course of a criminal matter.
- The number of evidentiary hearings held on petitions to revoke or modify PRCS. An *evidentiary hearing* is defined as a hearing where one or more parties or counsel appear and oral arguments, presentations relevant to proceedings, witness testimony, and/or documents or tangible documents are submitted to the court. Evidentiary hearings are included in the total number of calendar events.
- The number of cases in which, as a result of a violation, a person on PRCS has the supervision term revoked and terminated.
- The number of cases in which, as a result of a violation, a person on PRCS has the supervision term revoked and reinstated, regardless of whether supervision terms were modified.

**Table 5: Postrelease Community Supervision (PRCS)**

Court	Petitions to revoke or modify PRCS (n=57)	Ex-parte warrants issued (n=54)	Calendar events set on petitions to revoke or /modify PRCS (n=54)	Evidentiary hearings held on petitions to revoke or modify PRCS (n=51)	PRCS cases revoked and terminated (n=47)	PRCS cases revoked and reinstated (n=49)
Alameda	308	62	347	NR	2	74
Alpine	1	0	1	1	0	0
Amador	4	1	12	0	NR	4
Butte	49	39	71	1	1	28
Calaveras	7	1	11	4	0	0
Colusa	5	0	30	0	0	1
Contra Costa	0	29	NR	NR	0	0
Del Norte	4	1	3	0	0	3
El Dorado	13	8	9	0	1	6
Fresno	367	213	478	20	62	NR
Glenn	2	0	2	2	1	2
Humboldt	58	0	271	169	8	50
Imperial	6	0	58	45	0	3
Inyo	0	0	0	0	0	0
Kern	468	0	558	1	23	407
Kings	39	26	19	NR	NR	NR
Lake	12	0	42	28	1	3
Lassen	4	2	45	7	0	7
Los Angeles	2,125	1,714	4,755	3	NR	NR
Madera	56	0	229	203	0	35
Marin	6	0	15	0	0	1
Mariposa	3	1	4	0	1	5
Mendocino	14	4	62	0	0	9
Merced	77	23	313	146	1	53
Modoc	0	0	2	2	0	0
Mono	0	0	0	0	0	0

**Attachment A**

Monterey	27	50	149	10	13	9
Napa	4	NR	15	13	0	4
Nevada	NR	NR	NR	NR	NR	NR
Orange	395	244	1,079	NR	51	331
Placer	26	25	140	6	NR	26
Plumas	1	NR	11	7	1	1
Riverside	408	416	223	223	408	407
Sacramento	48	247	NR	0	NR	NR
San Benito	18	0	39	16	0	10
San Bernardino	512	234	384	0	66	740
San Diego	206	0	212	2	NR	192
San Francisco	65	NR	NR	NR	NR	NR
San Joaquin	170	149	196	1	NR	NR
San Luis Obispo	36	23	56	0	5	31
San Mateo	15	39	64	0	5	16
Santa Barbara	34	61	74	46	0	8
Santa Clara	169	152	439	188	24	108
Santa Cruz	28	14	82	0	0	4
Shasta	69	25	370	0	4	24
Sierra	0	0	0	0	0	0
Siskiyou	19	13	43	27	NR	12
Solano	82	37	55	14	20	42
Sonoma	64	61	151	1	1	65
Stanislaus	133	106	239	NR	1	NR
Sutter	0	0	0	0	0	NR
Tehama	15	6	26	0	0	5
Trinity	1	0	18	7	0	1
Tulare	80	31	408	244	23	64
Tuolumne	6	0	20	20	0	4
Ventura	7	80	161	2	53	86
Yolo	55	8	105	4	NR	29
Yuba	6	23	24	1	3	2

**Table 6 displays:**

- The number of cases in which a person is referred to a reentry court on a PRCS violation.<sup>3</sup>

<b>Table 6: Reentry Courts</b>	
Court	PRCS cases referred to reentry court (n=3)
Alameda	NR
Los Angeles	0
San Diego	0
San Francisco	NR
San Joaquin	NR
Santa Clara	12

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<sup>3</sup> Six reentry courts are currently operating in California. Under Penal Code section 3455(a)(3), a person on PRCS who has violated the terms of supervision may be referred to a reentry court, under Penal Code section 3015, or other evidence-based program in the court's discretion.

**FINAL (4/19/13) Realignment Data Points – FELONIES ONLY**

PRE-SENTENCING

1. Number of **new** felony case filings

*A felony filing is defined as the beginning of a case by the court's acceptance of the formal submission of a complaint or other document charging a defendant with a felony offense, or a transfer-in from another jurisdiction. Other documents, such as motions, are not counted as filings for caseload inventory purposes.*

- *Each defendant named in the complaint is reported as one case filing.*
- *Do not count a filing for defendants who are discharged prior to the filing of a complaint.*
- *Do not count filings for Habeas Corpus.*
- *Do not include violations of Post Release Community Supervision (PRCS) or parole in this count.*

2. Number of pre-sentence warrants issued for Failures to Appear (FTA)

INITIAL SENTENCING

3. Number of cases in which a defendant is sentenced to state prison at initial sentencing

*Do not include cases in which a defendant is sentenced to state prison on a violation of felony probation. These cases are counted in data point #8.*

4. Number of cases in which a defendant is granted felony probation pursuant to PC 1203.1 at initial sentencing

*Report all cases in which the defendant is placed on traditional felony probation at initial sentencing.*

5. Number of cases in which a defendant is given a straight county jail sentence pursuant to PC 1170(h)(5)(A) at initial sentencing

*Report all cases in which the defendant is sentenced under PC 1170(h)(5)(A) at initial sentencing.*

6. Number of cases in which a defendant is given a “split” sentence pursuant to PC 1170(h)(5)(B) at initial sentencing

*Report all cases in which the defendant is sentenced under PC 1170(h)(5)(B) at initial sentencing.*

- *Include cases in which a defendant is sentenced directly to a term of mandatory supervision without first serving a portion of the sentence in county jail.*

VIOLATION/MODIFICATION OF FELONY PROBATION

7. Number of petitions filed or court motions made to revoke/modify felony probation  
*Petition is defined as any filed instrument/document presented to the court that seeks revocation or modification of a defendant's supervision status. This data element should also include cases where the court on its own motion seeks to modify or revoke supervision.*
8. Number of cases in which a felony probationer is sentenced to state prison for a violation of probation  
*This is a count of all cases in which the defendant is placed on probation and after violating probation is sentenced to prison for the probation violation.*
9. Number of cases in which a felony probationer receives a straight sentence to county jail under PC 1170(h)(5)(A) for a violation of probation  
*This is a count of all cases in which the defendant is placed on probation for a PC 1170(h) felony and after violating probation is sentenced to county jail under PC 1170(h)(5)(A) for the probation violation.*
10. Number of cases in which a felony probationer receives a "split" sentence under PC 1170(h)(5)(B) for a violation of probation  
*This is a count of all cases in which the defendant is placed on probation for a PC 1170(h) felony and after violating probation is sentenced under PC 1170(h)(5)(B) for the probation violation.*
  - *Include cases in which a defendant is sentenced directly to a term of mandatory supervision without first serving a portion of the sentence in county jail.*

VIOLATION/MODIFICATION OF MANDATORY SUPERVISION

11. Number of petitions filed or court motions made to revoke/modify mandatory supervision  
*Petition is defined as any filed instrument/document presented to the court that seeks revocation or modification of a defendant's supervision status. This data element should also include cases where the court on its own motion seeks to modify or revoke supervision.*
12. Number of calendar events set on petitions or court motions to revoke/modify mandatory supervision  
*A calendar event is defined as a court proceeding set in the course of a criminal matter.*
13. Number of court evidentiary hearings held on petitions or court motions to revoke/modify mandatory supervision  
*An evidentiary hearing is defined as a hearing where one or more parties or counsel appear and oral arguments, presentations relevant to proceedings, witness testimony, and/or documents or tangible documents are submitted to the court.*

- *Evidentiary hearings that extend over more than one day are counted as separate hearings for each hearing day.*
  - *Do not report hearings that are not heard at all and are reset at the request of the parties or on the court's motion. Count these instances under 'Number of calendar events' (data point #12).*
14. Number of cases in which an offender on mandatory supervision has the supervision term revoked and terminated  
*Report all cases in which mandatory supervision is permanently revoked as a result of a violation.*

**VIOLATION/MODIFICATION OF POST RELEASE COMMUNITY SUPERVISION**

15. Number of petitions filed or court motions made to revoke/modify Post-Release Community Supervision (PRCS)  
*Petition is defined as any filed instrument/document presented to the court that seeks revocation or modification of a defendant's supervision status. This data element should also include cases where the court on its own motion seeks to modify or revoke supervision.*
16. Number of ex parte warrants issued for persons on PRCS  
*Requests for these warrants are made by the supervising agency and are typically handled in chambers.*
17. Number of calendar events set on petitions or court motions to revoke/modify PRCS  
*A calendar event is defined as a court proceeding set in the course of a criminal matter.*
18. Number of court evidentiary hearings held on petitions or court motions to revoke/modify PRCS  
*An evidentiary hearing is defined as a hearing where one or more parties or counsel appear and oral arguments, presentations relevant to proceedings, witness testimony, and/or documents or tangible documents are submitted to the court.*
- *Evidentiary hearings that extend over more than one day are counted as separate hearings for each hearing day.*
  - *Do not report hearings that are not heard at all and are reset at the request of the parties or on the court's motion. Count these instances under 'Number of calendar events' (data point #17).*
19. Number of cases in which an offender on PRCS has the supervision term revoked and terminated  
*Report all cases in which PRCS is permanently revoked as a result of a violation.*

20. Number of cases in which an offender on PRCS is referred to a reentry court, pursuant to PC 3015

*Report all cases in which an offender is referred to a reentry court, as defined in PC 3015, upon a PRCS violation (see PC 3455(a)(3)).*

21. Number of cases in which an offender on PRCS has the supervision term revoked and reinstated, excluding cases where the PRCS offender is referred to a reentry court

- *If a case is revoked and reinstated more than once in a reporting period, count each instance in which the case is revoked and reinstated.*
- *Include cases in which:*
  - *PRCS is revoked and reinstated without modifications to conditions of supervision.*
  - *PRCS is revoked and reinstated with modifications to conditions of supervision, including a period of confinement in county jail.*

#### VIOLATION/MODIFICATION OF PAROLE (After July 1, 2013)

22. Number of petitions filed or court motions made to revoke/modify parole

*Petition is defined as any filed instrument/document presented to the court that seeks revocation or modification of a defendant's supervision status. This data element should also include cases where the court on its own motion seeks to modify or revoke supervision.*

23. Number of ex parte warrants issued for persons on parole

*Requests for these warrants are made by the supervising agency and are typically handled in chambers.*

24. Number of calendar events set on petitions or court motions to revoke/modify parole

*A calendar event is defined as a court proceeding set in the course of a criminal matter.*

25. Number of court evidentiary hearings held on petitions or court motions to revoke/modify parole

*An evidentiary hearing is defined as a hearing where one or more parties or counsel appear and oral arguments, presentations relevant to proceedings, witness testimony, and/or documents or tangible documents are submitted to the court.*

- *Evidentiary hearings that extend over more than one day are counted as separate hearings for each hearing day.*
- *Do not report hearings that are not heard at all and are reset at the request of the parties or on the court's motion. Count these instances under 'Number of calendar events' (data point #24).*

26. Number of cases in which a parolee has the parole term revoked and is ordered to confinement in county jail

*Report all cases in which parole is revoked as a result of a violation, and the parolee is ordered to confinement in county jail.*

27. Number of cases in which a parolee is found in violation of law or conditions of parole and is remanded to the custody of the Department of Corrections and Rehabilitation and the jurisdiction of the Board of Parole Hearings for the purpose of future parole consideration *PC 3000.08(h) states: "Notwithstanding any other provision of law, in any case where Section 3000.1 or paragraph (4) of subdivision (b) of Section 3000 applies to a to a person who is on parole and the court determines that the person has committed a violation of law or violated his or her conditions of parole, the person on parole shall be remanded to the custody of the Department of Corrections and Rehabilitation and the jurisdiction of the Board of Parole Hearings for the purpose of future parole consideration."*
28. Number of cases in which a parolee is referred to a reentry court, pursuant to PC 3015 *Report all cases in which an offender is referred to a reentry court, as defined in PC 3015, upon a parole violation (see PC 3000.08(f)(3)).*
29. Number of cases in which, after a violation, a parolee is returned to parole supervision with or without sanctions or modifications of parole, excluding cases where the parolee is referred to a reentry court
- *Include cases in which:*
    - *A parolee is returned to parole supervision without modifications to conditions of supervision.*
    - *A parolee is returned to parole supervision with modifications to conditions of supervision, including a period of confinement in county jail.*